

REMARKS/ARGUMENTS

The following species elections have been identified:

Species Election I: Applicants have been required to elect a single species of organic material (that the monoimide of formula (a) protects from light).

Species Election II: Applicants have been required to elect a single species of the monoimide of formula (1).

Applicants elect, with traverse and for examination purposes only, the following species (readable on at least elected claims 53, 55, 56 and 60-64):

- I) polyethylene terephthalate; and
- II) compound I-C.1 (a compound of formula I, wherein R¹ is 2,6-diisopropylphenyl and R² is 4-tert-octylphenoxy).

In regard to the election of species requirements, the Office alleges:

“The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: The chemical divergent nature of “organic materials” as well as the divergent nature of the R² substituent.”

Applicants make no statement regarding the patentable distinctness of the species, but note that for restriction to be proper, there must be a patentable difference between the species as claimed. MPEP § 808.01(a). The Office has not provided adequate reasons or examples to support a conclusion that the species, as claimed, are indeed patentably distinct. Accordingly, Applicants respectfully submit that the election requirement is improper, and Applicants' election of species is for examination purposes only.

Applicants respectfully submit that the above-identified application is again in condition for examination on the merits, and early notice thereof is earnestly solicited.

Respectfully Submitted,

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